

# Exhibit 1

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:	
	:	Chapter 11
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	
	:	Case No. 08-13555 (SCC)
Debtors.	:	(Jointly Administered)
	:	
-----X	:	
	:	
MOORE MACRO FUND, LP, MOORE MACRO	:	
MARKETS FUND (MASTER), LP, SJL MOORE, LTD.,	:	Adv. Proc. Case No. 14-02021
JR MOORE, LP, LM MOORE LP, MF MOORE LP	:	(SCC)
(formerly MOORE GLOBAL FIXED INCOME FUND	:	
(MASTER) LP), MOORE GLOBAL INVESTMENTS,	:	
LTD., MOORE EMERGING MARKETS FUND	:	
(MASTER) LP, MOORE CAPITAL ADVISORS, L.L.C.,	:	
and TRADE PROCESS CORPORATION,	:	
	:	
Plaintiffs,	:	<b>[PROPOSED] COUNTER-</b>
	:	<b>ORDER OF DISMISSAL OF</b>
v.	:	<b>CERTAIN</b>
	:	<b>COUNTERCLAIMS</b>
LEHMAN BROTHERS HOLDINGS INC., LEHMAN	:	
BROTHERS SPECIAL FINANCING INC., and	:	
LEHMAN BROTHERS COMMERCIAL	:	
CORPORATION,	:	
	:	
Defendants.	:	
-----X	:	

**[PROPOSED] COUNTER-ORDER REGARDING DISMISSAL OF CERTAIN  
COUNTERCLAIMS**

WHEREAS, on September 18, 2009, Moore Macro Fund, LP filed a proof of claim No. 33510 with respect to Lehman Brothers Commercial Corporation in the amount of \$2,320,398 and proof of claim No. 33511 with respect to Lehman Brothers Holdings, Inc., as guarantor, in the amount of \$2,320,398 (together, “Moore’s LBCC Claims”); and

WHEREAS, Plaintiffs filed a complaint on May 30, 2014 [*see* Dkt. 1], Defendants Lehman Brothers Holdings Inc., Lehman Brothers Special Financing Inc., and Lehman Brothers Commercial Corporation (together, “Defendants”) filed an Amended Answer, Counterclaims and Claim Objections on December 24, 2014 [*see* Dkt. 31], and Plaintiffs filed an Answer to the Counterclaims on June 30, 2015 [*see* Dkt. 61];

IT IS HEREBY ORDERED, upon Defendants’ request and pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rule of Bankruptcy Procedure 7041(a)(2), that Defendants’ (i) Eighth Counterclaim in the above-captioned action is voluntarily dismissed with prejudice, and (ii) Ninth and Tenth Counterclaims solely to the extent predicated upon Plaintiffs’ failure to properly calculate amounts payable or receivable in accordance with the definition of Market Quotation or Loss under the Master Agreements or under New York law are voluntarily dismissed with prejudice.

For the sake of avoidance of any doubt, Defendants’ counterclaim(s), which in whole or in part relate to Plaintiffs’ alleged failure to deliver the Valuation Statements “[o]n or as soon as reasonably practicable following the occurrence of [the] Early Termination Date,” are not dismissed.

IT IS FURTHER ORDERED, that Moore Macro Fund, LP will have a single, allowed, general unsecured creditor claim against Lehman Brothers Commercial Corporation in the amount of \$2,320,398 and a single, allowed, general unsecured creditor claim against Lehman Brothers Holdings, Inc., as guarantor, in the amount of \$2,320,398. Both allowed, general unsecured creditor claims shall be distributed in accordance with any applicable distribution orders and any future order of the Bankruptcy Court pertaining to the distribution of assets from Lehman Brothers Commercial Corporation or Lehman Brothers Holdings, Inc. Without limiting

the prior sentence, with respect to any prior distribution orders, Moore Macro Fund, LP shall receive any heretofore unpaid distributions (including, without limitation and if applicable, interest and any fees) to which it is entitled within five business days after execution of this order. Nothing herein is intended to prejudice any party's position regarding the accrual of interest or fees, including attorneys' fees, in respect of Moore's LBCC Claims.

Dated: November \_\_, 2015

**SO ORDERED:**

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JUDGE SHELLEY C. CHAPMAN  
United States Bankruptcy Judge  
Southern District of New York